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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,364	09/29/2000	Leslie Graf	032986-006	4674

27045 7590 07/28/2004

ERICSSON INC.
6300 LEGACY DRIVE
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PLANO, TX 75024

EXAMINER

MOSLEHI, FARHOOD

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 07/28/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/678,364

Applicant(s)

GRAF ET AL.

Examiner

Farhood Moslehi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-6 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims ^{1-2, 4-6}~~1, 5 and 6~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Denman et al. (6,490,451) (hereinafter Denman) in view of Reed et al. (5,896,440) (hereinafter Reed).

4. As per claim 1, Denman shows a method of signaling in a communications system comprising a call control level and a bearer control level, where the call control level comprises a plurality of media gateway controllers and the bearer control level comprises a plurality of media gateways each of which is controlled by a media gateway controller, the method comprising allocating to each gateway at least one address, which address corresponds to one of a plurality of different addressing formats, and conveying these addresses between peer media gateway controllers using bearer independent call control (BICC) or transport independent call control (TICC) by encapsulating said address using the network service point (NSAP) addressing format. (e.g. col. 3, lines 51-65 & Figure 3. It is an inherent property of a packet network to encapsulate the address of each packet before forwarding it to the next gateway).

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Denman does not specifically show the addressing format as defined in ITU-T recommendation X.213. Reed shows the addressing format as defined in ITU-T recommendation X.213 (e.g. col. 8, lines 25-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Denman with Reed. The motivation would have been to have an open SS7 addressing scheme.

5. As per claim 5, it is rejected for similar reasons as stated above.

6. As per claim 6, it is rejected for similar reasons as stated above.

7. As per claim 2, Denman teaches a method, wherein the communications network is a telecommunications network in which the Call Control level is used to establish and control call connections between a calling party and a called party at the Bearer Control level (e.g. Figure 6A).

8. As per claim 4, Denman shows a method, wherein the format of the at least one address allocated to a Media Gateway is the format used by a transport network to which that Media Gateway provides access (e.g. col. 15, lines 6-22, both the gateway and the transport format addresses are IP).

9. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Denman in view of Reed and in further view of Rose et al. (6,396,840) (hereinafter Rose).

10. As per claim 3, Denman in combination with Reed do not specifically teach a method, wherein the Media Gateways provide access to transport networks which extend between peer Gateways, and the networks using one of IP, AAL2, or ATM transmission mechanisms. Rose teaches a method, wherein the Media Gateways provide access to transport networks which extend between peer Gateways, and the

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networks using one of IP, AAL2, or ATM transmission mechanisms (e.g. col. 6, lines 13-32). It would have been obvious to one of ordinary skills in the art at the time the invention was made to combine Denman and Reed with Rose. The motivation would have been to provide for a packet switching protocol between Media Gateways.

11. Applicant's arguments filed 5-10-2004 have been fully considered but are not persuasive.

12. In the remarks, applicants argued in substance that (1) the Examiner failed to point to a teaching in Denman of encapsulating the address of a media gateway in a message between media gateway controllers, using the Network Service Access Point (NSAP) addressing format.

13. As to point (1) Denman shows the encapsulation of the media stream and the bearer parameters. In a telecommunications session the address is included as one of the parameters (e.g. col. 12, lines 5-10).

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fm

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100